

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

BOBBIE JEAN CARPENTER

PLAINTIFF

VS.

CIVIL ACTION NO. 4:04CV56-M-B

ELAINE RUTH REINHARD, M.D.

DEFENDANT

CONSOLIDATED WITH

BOBBIE JEAN CARPENTER

PLAINTIFF

VS.

CIVIL ACTION NO. 4:04CV319-P-B

ELAINE RUTH REINHARD, M.D., et al.

DEFENDANTS

AGREED PROTECTIVE ORDER

Upon agreement of the parties and their respective counsel, and it appearing to the Court that:

1. In the course of discovery, certain confidential credentialing documents for Dr. Reinhard were produced to plaintiff on or about June 10, 2005, and bates numbered EPS-001 to EPS-087;
2. Defendants wish to preserve the confidential nature of such documents, materials, and/or information;
3. The parties wish to limit the disclosure of the confidential documents, materials, and/or information;
4. F.R.C.P. 26(c) provides for the issuance of appropriate protections, for good cause, to preserve the confidential nature of such documents, materials, and/or information, and to limit the disclosure of such documents, materials, and/or information; and
5. Good cause exists for the issuance of this Agreed Protective Order.

IT IS THEREFORE ORDERED:

1. The documents produced by defendants on or about June 10, 2005, and bates numbered EPS-001 to EPS-087 are designated as Confidential Material and subject to this Agreed Protective Order.

2. All motions, pleadings, memorandums, briefs, exhibits, appendices, discovery responses or requests, and any other documents or papers which contain Confidential Material and are filed with the Court, shall be filed under seal (in a sealed envelope) in accordance with the rules of this Court, and shall be labeled with the caption of the action, a description of the contents of the documents, materials, and/or information contained in the sealed portions, and labeled with the following statement:

“FILED UNDER SEAL PURSUANT TO
TERMS OF AGREED PROTECTIVE ORDER”

3. The Confidential Material may not be disclosed to any Person other than a Party, the Court, Counsel, and witnesses being deposed. As to expert witnesses, the Confidential Material can be disclosed to them provided that they sign and are bound by a copy of this agreement prior to disclosure.

4. The Confidential Material shall be used and disclosed solely for purposes of the preparation and trial of this case and shall not be used or disclosed for any other purpose, unless ordered by this Court, or another court with jurisdiction.

5. Final resolution of this action, including exhaustion of appellate remedies, shall not terminate the restrictions of use and disclosure imposed by this Order. Within 60 days of final resolution, each Party who received the Confidential Material shall return all copies, including any copies in the hands of outside experts and consultants, to the Defendants.

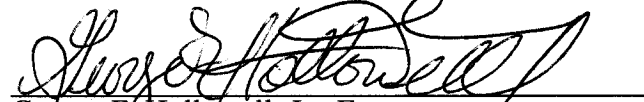
6. Each Party agrees and acknowledges that a material and willful violation of this Order will result in irreparable harm and therefore, consents to the assertion of jurisdiction by

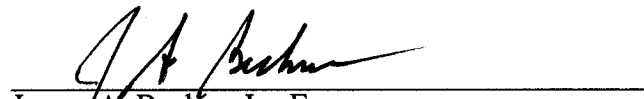
this Court and the issuance of an injunction and any other appropriate equitable and monetary relief.

ORDERED this the 22 day of June, 2005.


UNITED STATES MAGISTRATE JUDGE

AGREED AND APPROVED AS TO FORM:


George F. Hollowell, Jr., Esq.
Hollowell Law Firm
P.O. Drawer 1407
Greenville, MS 38702-1407
Telephone: (662)378-3103
Attorney for Plaintiff


James A. Becker, Jr., Esq.
400 E. Capitol Street, Suite 300
Jackson, MS 39205
Telephone: (601) 948-6470
Attorney for Defendants